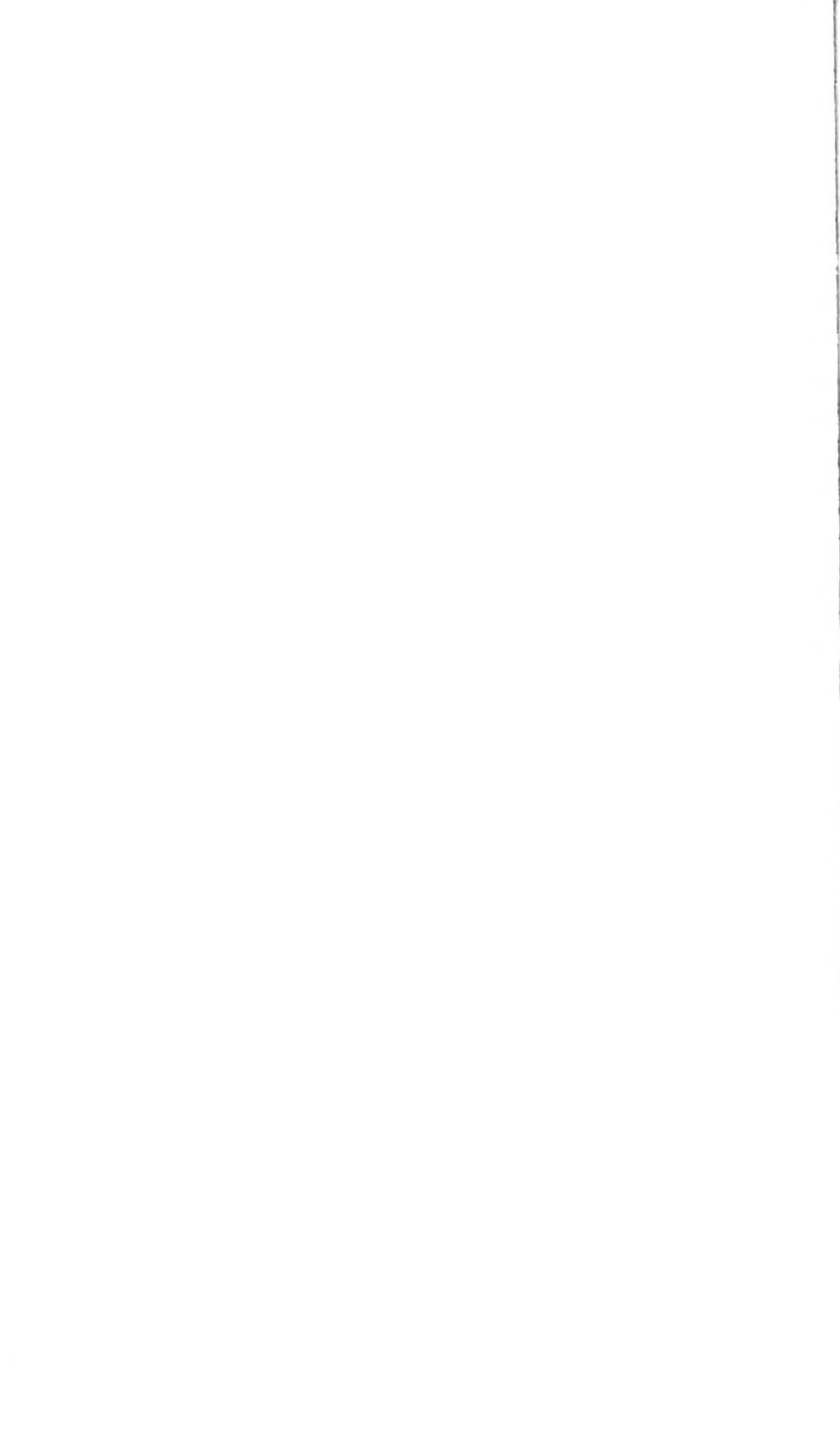


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A

R E P L Y

TO THE

CHARGES OF ROBERT ADAIR, ESQ.

AGAINST THE

Bishop of Winchester,

IN CONSEQUENCE OF

A PASSAGE CONTAINED IN HIS LORDSHIP'S

MEMOIRS OF THE RIGHT HON. W. PITT.

London :

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1821.

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A

R E P L Y,

&c.

SIR,

HAD you, in your late address to the Bishop of Winchester, contented yourself with expressing your political resentments in terms of general acrimony, the affair between his Lordship and yourself would soon have been set at rest. The real merits of the question were in the possession of the public, and no advocate for his Lordship would probably have been imprudent enough to enter the lists with an antagonist, who appears to be so scientifically acquainted with all the weapons of obloquy. But when you proceed to a specific charge of the very highest nature, against a Prelate who stands so confessedly high in general estimation, and prefer an accusation which affects the character of his Lordship, both as a friend and as a man, it becomes necessary, on public grounds,

B

that the evidence upon which his exculpation rests should be heard.

How far it may be expedient for the Bishop, or for any of his friends acting under his direction, to reply to this or to any other matters contained in your pamphlet, it is with them to determine. Silence, perhaps, in this instance, may best accord with the character and the station of the individual, but silence will not promote the ends of public justice. Public justice, Sir, requires, that to charges such as yours an answer should be given; not so much to clear the reputation of the accused, as to expose the calumnies of the accuser. It is on these grounds, and on these grounds alone, that I now address you; for, as far as relates to myself, let me most solemnly assure you, that the Bishop of Winchester at this moment knows no more of this vindication than yourself. He knows not who is his defender, nor has he ever seen any one sentence which this letter exclusively contains. However you may be disposed to doubt my assertion, your natural acuteness will speedily discover that I have

not had the advantage of resorting to any secret sources, either of information or of suggestion. My views of the matters concerned are made up entirely from the evidence which is now before the world. This may be the worse for the entertainment of my readers, but the better, I should apprehend, for yourself.

A sense of public justice alone has dictated this defence. You, Sir, have accused the Bishop of Winchester, at the bar of the public, as “ A SELF-CREATED EXECUTOR, “ WHO RIFLES THE TOMB OF HIS FRIEND “ TO GET AT THE SECRETS OF THE SO-“ VEREIGN.”

As one of that public, I have examined the only evidence upon which that charge could be supported ; and, upon that examination, I pronounce the charge to be false, and a moral libel upon the Prelate in question. As one of that public, I consider it my duty to lay before the world the result of my investigation ; that no man may have it in his power hereafter to say, that the charge has not been fairly met, and fully disproved.

You have accused the Bishop of being “A SELF-CREATED EXECUTOR.” By the words “self-created executor,” you can have but one meaning, viz. that the Bishop was *not* created executor by Mr. Pitt; but, that after the death of Mr. Pitt, by an unauthorized intrusion into the trusts and duties of that important office, he so-created himself. This, Sir, is your assertion, not in any casual or common sentence, but in the concluding period of your pamphlet—a period evidently worked up with peculiar labour, and, as Mr. Puff says in the Critic, “quite in the style and manner of Junius.”

Here then is your charge; but where is your evidence? I do not find one word of any sort of testimony either direct or circumstantial in its support. In this “plentiful lack” of evidence, perhaps, Sir, you will not object to my calling a witness into court. This witness, Sir, may be daily seen and examined by yourself, or by any other person who may feel so inclined. This witness, Sir, is no other than the WILL OF MR. PITTS, signed by himself, and duly re-

gistered in the proper office. The last sentence but one of this will is as follows:—

“ *I wish my brother, with the Bishop of Lincoln, to look over my papers and settle my affairs.*”

What was his dying wish, Mr. Pitt has here most decidedly declared; but, that no legal objections may be raised, I will transcribe from the Registry also of Doctors' Commons the official testimony to the probate of the same.

“ Proved at London, 27th February,
 “ 1806, before the Worshipful Herbert
 “ Jenner, Doctor of Laws, Surrogate,
 “ by the Oaths of the Right Rev. Fa-
 “ ther in God George, Lord Bishop of
 “ Lincoln, and the Right Honorable
 “ John, Earl of Chatham, the EXECU-
 “ TORS, to whom administration was
 “ granted, having been first sworn duly
 “ to administer.

“ NATH. GOSLING, } *Deputy*
 “ R. C. CRESSWELL, } *Registrars.*
 “ GEO. JENNER,

Thus, then, by the last wishes of his dying friend, and by the law of his country, was

the Bishop of Lincoln created executor to Mr. Pitt.

Nor were the duties of the executor, in this case, limited to the mere settlement of pecuniary and domestic concerns; the executors of Mr. Pitt were charged by him with a higher trust, with that of “looking over his papers.” By this simple expression, all the papers and documents in his possession were consigned, not only to their confidence, but to their discretion. Mr. Pitt was too well assured, by long experience, both of the fidelity and of the judgment of his executors, to bind them down by any other more explicit direction.

And now, Sir, I enquire, in the name of the British public, what becomes of your charge? Is it false, or is it not? In what manner can you answer before the world, for having preferred an accusation of such a nature against such a man. Most true it is that Dr. Tomline is a Bishop, a circumstance of which you are perpetually reminding us; and with what motives, the public will best judge. But, Sir, because he is a Bishop, he is not therefore to be

run down by a charge, which, under other circumstances, you would not probably have thought it quite so prudent to advance. You seem to have taken ample advantage of the protection which his Lordship's station affords you, and to be fully aware with how much impunity a Bishop may be assailed.

But I have yet another witness to bring before the public, to whose testimony I am confident that you, Sir, will raise no objections. I mean yourself. In p. 84 of your pamphlet, you say to the Bishop, "You " have had access to his (Mr. Pitt's) pa-
" pers. AUTHORIZED by him, in his last
" moments, to look them over with Lord
" Chatham, you had the means of offering
" a work to the world with unexpected
" pretensions to veracity." Now, Sir, I
would inquire, how does this correspond
with your charge of "a self created execu-
" tor, rifling the tomb of his friend?" In
my plain view of the matter, if the Bishop
was an *authorized*, he was not a *self-created*
examiner of the papers of Mr. Pitt. These
are contradictions, however, which your

diplomatic skill may be enabled to reconcile.

One thing alone I would observe, that, notwithstanding the casual set off of the "authorized," in p. 86, the charge against the Bishop, spread through the whole of your latter paragraph, and condensed in your concluding sentence, remains in unabated force, either against the character of the Bishop or your own.

In what manner his Lordship has discharged the important, and, I may add, the sacred trust reposed in him by his dying friend, the public will best determine. When, however, you speak of the Bishop as rifling the tomb of a friend to get at the secrets of his Sovereign, you would have us suppose, that a sort of private secretary to a minister, hitherto entrusted with but a few, if any, of the counsels of his master, was now, for the first time, in virtue of his executorial office, plunged into the mysteries of government, and hunting, with all the anxiety of a novice, after those papers and documents which might best develope the secrets of a past administration.

Now, Sir, it is well known to yourself, and to every man who has moved in the political world during the life of Mr. Pitt, that the Bishop of Lincoln was not so much the secretary, as the private and confidential adviser and friend of Mr. Pitt. You appear to be well acquainted with all the wit and ribaldry to which this political intimacy between the tutor and the pupil gave rise. The advantage of such a friendship few ministers have ever yet enjoyed; it was too great indeed to pass unnoticed and undisturbed. Now, Sir, with this matter of public notoriety before your eyes, to what purpose do you talk of “rifling the “tomb of his friend,” or “getting at the “secrets of his Sovereign.”

Do you, Sir, from your knowledge of the character and transactions of those days, believe that there was any one secret which Mr. Pitt was likely to conceal from this friend, not of his politics only, but of his heart? Do you believe that there was any one of those papers, containing any matter of the least importance, which the Bishop had not previously seen? There is not a

man of any ordinary political experience, who is not morally convinced that the Bishop knew their contents as well as Mr. Pitt himself. What then, Sir, becomes of your charge of “ rifling the tomb, and “ *getting at* the secrets of his Sovereign?”

I now come to another part of your charge; which is, that the Bishop has “ *deliberately and advisedly brought forth* “ *into open day, matters which the Constitution* “ *itself has guarded with the most scrupulous* “ *jealousy from the sight, and even from the* “ *knowledge of our state parties.*” P. 85.

I very much fear, Sir, that you will not be able to prevail upon the public, in their present humour at least, to convict the Bishop upon this part of your charge. It so happens, that in this matter the public have suffered a grievous disappointment. They expected to have found in the “ Life of Mr. Pitt,” quite a mine of political gossip. A thousand secret histories, anecdotes, and documents, with which they were hitherto unacquainted, they expected to have been brought into open day. Very loudly, indeed, have the opposition journals

complained of the want of new matter in these volumes; and most heavily have they censured the Bishop for not committing the very offence of which you now so gravely accuse him. I will leave the Whigs and yourself together to settle your own differences; and, perhaps, at the conclusion of your conference, the public may be informed whether they are to consider the work of the Bishop as a mere transcript of the Annual Register—or—as a scandalous chronicle, “ bringing forth into open “ day, matters which the Constitution itself “ has guarded with the most scrupulous “ jealousy from the sight, and even from “ the knowledge of our state parties.”

In good truth, the work in question is neither the one nor the other. The Bishop has presented to the world a masterly and a comprehensive view of the long train of events, which marked the administration of Mr. Pitt. There is a clearness in the conception, a fulness in the narration, and a decision in the language, which declare the author to have been intimately acquainted with all the secret springs of political action.

Of this acquaintance he has taken the wisest and the most honourable advantage; not by the introduction of any new materials, which his peculiar situation would doubtless have afforded him, but by a new disposition of those, which he had in common with the rest of the world. Over these, his secret information gave him a peculiar command; and with that keenness and caution, which he is on every side allowed so eminently to possess, he has succeeded in placing them in a point of view, at once luminous, powerful, and just. This appears to have been the great object of his Lordship's work, and that object every man of sound discrimination will think that he has attained. But, unfortunately for the best interests of society, mankind have now acquired such a morbid appetite for scandal, that they will not be contented to be taught the movements of the great political machine, as they appear on the dial plate, but like children, they cry to see the wheels.

Of the very few new papers and documents which the Bishop has thought it expedient to bring forward, there is not one,

to the production of which, after the lapse of so many years, the slightest objection can be made. In the notes of his late Majesty to Mr. Pitt, now for the first time submitted to public inspection, there is nothing which calls for any longer concealment. While they reflect the brightest lustre on the talent, the courage, and the integrity of the King, they discover no state secret, they sully no individual character. On the other hand, you, Sir, who are so deeply versed in the correspondence of political men, are well aware how many hundreds of documents there must have been among the papers of Mr. Pitt, which would have furnished an ample source of interest and amusement to the world. But the Bishop has not condescended to convert his volumes into a magazine of scandal or gossip, either private or public. With such ample materials before him for the gratification either of curiosity or revenge, he has inflicted no new wound upon the reputation of any man. Where it has been his duty to speak with severity either of individuals or of parties, he has founded his

charges upon acknowledged documents, and not upon any new discovery or any exclusive information. Had his Lordship filled his volumes with transcripts of secret instructions or disclosures of party intrigue, you and I should have agreed in the opinion to be formed both of the author and of his work. But he has not so filled them. With all the papers of Mr. Pitt at his authorized disposal, with every personal information both with respect to events and characters, to have resisted such a temptation, is the mark of no common mind. It is this, Sir, which gives a credit and a value to his work, which no obloquy can diminish. The fidelity of the man is the best voucher for the veracity of the historian. His pages are stamped with truth, for they were dictated by honour.

To bring this home to your own case. The transaction in which you were concerned is related by the Bishop in the words, not of any private document or paper, but of Mr. Burke; and this forms in p. 31 the chief subject of your complaint.

“ When you come to give an account of

"this counteraction, although you profess
"to have in your possession certain au-
"thentic papers, by which you can prove
"it, instead of relating it from those papers
"you take the relation of another man, and
"you content yourself with a reference to
"those papers to sustain that other man's
"account."

To the discretion, and, I may fairly add, to the delicacy of the Bishop in withholding the contents of such papers from the public, by this very complaint you have borne the amplest testimony. His Lordship simply says, "I shall transcribe Mr. Burke's account of it, the accuracy of which I find attested by authentic documents among Mr. Pitt's papers." And upon such a transaction could he have said less? You, Sir, well know that he has said the very least he could say. Do you deny that his Lordship has the documents to which he refers? No, Sir; in no one sentence of your pamphlet do you question the existence of such documents—you only dare his Lordship to produce them. And why do you thus dare him? Because you are

well aware that you can display your courage with perfect security. Your security consists in the honour of his Lordship; and that honour, you well know, no obloquy or threat will tempt him to break. Your position, Sir, is adroitly taken; but in its very occupation you have borne the strongest testimony to the forbearance and integrity of the Prelate, whom it is the object of your pamphlet to vilify and calumniate.

But you would have us believe that the very reference to these papers was disingenuous. If any new matter was to be proved by such a reference, your charge might have some shew of justice in it; but when the reference is made to attest a number of facts universally known and believed, the charge vanishes into nothing.

It is not however, after all, by a reference to these unknown documents only that the Bishop verifies Mr. Burke's account of the transaction; on the contrary, it may be said, that it is upon the following sentence that the whole question ultimately rests.

“ I am not aware that any attempt was ever made by Mr. Fox, or any of his

" friends, to controvert these facts or invalidate this reasoning."

Here the Bishop totally abandons any reference to private documents, and rests the credibility of the transaction in question, first, on the statement of Mr. Burke, and, secondly, on the subsequent silence of Mr. Fox and his friends. As you considered your character affected by his Lordship's account of the matter, you first called upon him in a private letter to correct his allegations ; this his Lordship, in a private letter also, refused to do ; giving you at the same time such ample reasons for his refusal, as to the minds of most men will appear highly satisfactory. They did not however satisfy you, though at the same time, that the public may form an estimate of their merits, you have very candidly pre-fixed the letter of his Lordship which contained them, to the pamphlet now before me. I have already examined your attack upon the Bishop : allow me now to follow you through a few pages of the defence of yourself. Whether as an assailant or an

advocate, you seem to be attended with equal consistency, temper, and success.

I shall take for granted that every one is too well acquainted with the transaction in question, to require any detailed account of the matters which it involves. It may be as well, however, to transcribe the first paragraph of the letter of Mr. Burke.

“ The laws and constitution of the kingdom entrust the sole and exclusive right “ of treating with foreign potentates to the “ King. This is an undisputed part of the “ prerogative of the Crown. However, “ notwithstanding this, Mr. Fox, without “ the knowledge or participation of any “ one person in the House of Commons, “ with whom he was bound by every party “ principle, in matters of delicacy and im- “ portance, confidentially to communicate, “ thought proper to send Mr. Adair as his “ representative, and with his cypher, to “ St. Petersburg, there to frustrate the “ objects for which the minister from the “ Crown was authorized to treat. He suc- “ ceeded in this design, and did actually

“ frustrate the King’s minister in some of
“ the objects of his negotiation.”

It will be necessary for me to transcribe also the passage from the Memoirs of Mr. Pitt, in which this proceeding of Mr. Fox is described.

“ The transaction referred to by Mr. Pitt in this and in the former debate, respecting the negotiations at Petersburgh, was never made the subject of formal enquiry or of actual discussion in Parliament; but it was of so remarkable a nature, and shews so strongly to what length Mr. Fox carried his party principles, that I shall transcribe Mr. Burke’s account of it, the accuracy of which I find attested by authentic documents among Mr. Pitt’s papers. It is to be presumed that Mr. Fox would never have had recourse to such a measure, if he had not entertained a confident hope, that having already succeeded in rendering the Russian armament unpopular, he should overset Mr. Pitt’s administration, provided the Empress could be prevailed upon to persevere in her demand. That

“ point he accomplished without any difficulty, but the consequence did not prove what he expected: he defeated Mr. Pitt’s plan, without gaining the main object he had himself in view; he brought a certain degree of discredit and danger upon his country by effecting the aggrandizement of an unfriendly and powerful court, while his own personal ambition remained ungratified.” Vol. II. p. 445.

After this, the Bishop gives the above-mentioned citation from Mr. Burke, and concludes the subject with the following observation.

“ I am not aware that any attempt was ever made by Mr. Fox, or his friends, to controvert these facts or invalidate this reasoning.”

As I shall hereafter shew, the Bishop is fully justified in his assertion that no attempt was ever yet made by Mr. Fox, or his friends, to controvert the facts or invalidate the reasoning of Mr. Burke. That attempt, indeed, is now made for the first time. You have now, Sir, I repeat it, *for the first time*, come forward to controvert the charge.

You *denied* it, it is true, when it was made by Mr. Burke: but remember, Sir, between *denying* and *controverting* an accusation there is a very material difference. You pleaded *not guilty* in 1797, but it is not until now that you have entered upon your defence.

That defence you rest upon three points.

First. You deny that Mr. Fox sent you as his representative to St. Petersburgh in 1791.

Secondly. You deny that you went for the purpose of frustrating the King's ministers.

Thirdly. You deny having, to your knowledge, frustrated any of the objects of the King's ministers.

Allow me to follow you through a few of the leading matters of your defence. Against all your asseverations of innocence, I have nothing to oppose but your own admissions of guilt. The only evidence which shall be produced against you, is yourself. It is wholly unnecessary to refer to any secret documents or private infor-

mation for a verification of those facts which you yourself allow—and I am much mistaken if that very public, to whom you have with so much confidence appealed, will not be of opinion that you have made out a much worse case, when pleading in your own behalf, than either Mr. Burke or the Bishop had made out against you.

First. You deny that Mr. Fox sent you out as his representative to St. Petersburgh in 1791.

“ First, it is not true that Mr. Fox sent
 “ me to St. Petersburgh as his representa-
 “ tive in 1791.—He did not send me thither
 “ at all.—I mean no evasion on his behalf
 “ of the substance of this charge when I
 “ declare, upon my honour, that I had
 “ fully resolved to undertake this journey,
 “ and had made my preparations for it,
 “ before I even communicated my inten-
 “ tions to him. At this distance of time I
 “ cannot affirm that he positively dissuaded
 “ my going, but the impression on my
 “ mind is that he did; and I am quite con-
 “ fident that he never encouraged it.”

To this you add the following statement, in language still more decisive.

“ That my going to St. Petersburgh, or “ rather I should say to the Continent, in “ the spring of 1791, was my own act, “ singly and simply, undertaken without “ any previous consultation with Mr. Fox, “ and without any communication with “ him, except that which passes between “ friends, who are in the daily habits of “ seeing each other, when one of them is “ about to absent himself for any time, I “ have already most fully declared.” P. 32.

You here declare that your journey to St. Petersburgh was undertaken without any consultation with Mr. Fox. And yet, Sir, at p. 37, you say,

“ I am perfectly ready to avow my hav-“ ing *concerted* one (a cypher) with Mr. Fox.”

So, Sir, you concerted a cypher with a man who was at that time the great leader of the opposition, but at the same time you held no communication nor consultation with him, beyond the every day in-

tercourse of friends who are in the habit of meeting.

You were at that time, you tell us, a man "who had his way to make," p. 33: that you had chosen foreign affairs as your line, which, as you very justly remark, required, more than any other branch of public interests, to be learned at their source. You went to St. Petersburg, according to your own account, with the very laudable desire of improving yourself in diplomatic knowledge, and of witnessing the important negotiations which were there likely to take place. Such a desire was doubtless a very natural one. But, Sir, by whose introduction or by whose interest were you to gain the information which you desired? You tell us, Sir, that for the acquisition of such knowledge as you were in quest of, "there must be opportunities."

" And above all, for a man who is not " in employment, there must be that pecu-
" liar conjuncture in great transactions,
" when the notoriety of their directing
" principle puts him, in some respects,

“on even terms with those who are.”

P. 33.

Now, Sir, was it the “*notoriety of the directing principle*,” which introduced you to the principal personages about the Russian court? Was it “the notoriety of the “directing principle,” which made you acquainted with the *arcana* of the pending negotiations?

In another part of your pamphlet, however, you abandon your mysterious friend, “the notoriety of the directing principle,” and positively inform us that you had means of introduction and information, which you very wisely refuse to divulge.

“Your Lordship will not expect me to reveal by what means I obtained, when I got there, a knowledge of events as they were passing, nor to name or designate the persons with whom I conversed, and with whom I discussed, with the openness and freedom which Englishmen are accustomed to use in such discussions, but with no secret view whatever, both the causes and the consequences of the measures then in agitation.” P. 8.

In what character, may I ask, did you appear before these personages? Decidedly as that of a representative. You allow, p. 9, that in your interviews with them, "I did "not feel myself called upon to conceal "that I entertained on this subject the "same opinions which were both felt and "declared by my country, by the House "of Commons, by Mr. Fox, and by Mr. "Burke himself."

Now, Sir, would you have us imagine that these high personages (whose names you think it even now dishonourable to disclose) would have listened, for one moment, to such opinions, because they were *your own*. No, Sir, as you have told us, they were listened to as the opinions of Mr. Fox, and of that party, who, at that time, stood especially high in the good graces both of Catherine and her ministers; they were listened to as coming from an accredited agent, who reported the results, in a cypher, to his principal. From your own expressions, when fairly put together, under all the circumstances of the case, it most clearly appears that you went to St.

Petersburgh with the credentials of Mr. Fox, and that you were there considered as his representative.

Secondly, You deny that you went to St. Petersburgh to frustrate the King's ministers.

You have told us already, that the object of your journey was to collect information, and to witness the important negotiations, of which St. Petersburgh was likely soon to become the seat. As a proof that you were not sent to counteract the King's minister, you say, that though you set out at the same time with Mr. Fawkener, you took Vienna in your way, and did not reach St. Petersburgh until many days after the arrival of Mr. F. By this delay, as you represent it, you must have given your antagonist an advantage, which would have for ever disqualified you, as a blunderer, for your intended profession. Allow me, Sir, in this point, to differ very materially from you. To have arrived, as the representative of Mr. Fox, at the Russian capital on the very same day with the King's minister, would, in the ordinary course of

things, have created such a sensation in the breasts of the Russian court, as would have been highly detrimental to your left-handed mission. Besides this, you well knew, from the temper of the Russian court, how little progress Mr. Fawkener, in the first instance, was likely to make; you arrived, therefore, very safely at St. Petersburgh, many days after the King's minister; and, as you tauntingly tell us, “of course, *after* that “experienced diplomatist had made all “the way he was likely to make with “the Empress Catherine and her minis-“ters.” P. 35.

Beside this, was your journey to Vienna undertaken without any object? You allow that in your letter to Mr. Fox you *did* cypher a matter of much consequence “re-“lating to the eventual conduct of another “court, in a contingency, not at all likely “then to happen.” P. 38. Though Austria had at that time made a separate peace, you will allow me to conjecture, that you did not lose the opportunities which your introduction at Vienna afforded you, of ac-
quainting yourself with the probable dispo-

sition of that court, "in a certain contingen-
"gency," and that you communicated the
same to Mr. Fox.

But to come a little closer to the object
of your mission. You deny that you went
to St. Petersburgh for the purpose of frus-
trating the King's ministers. How then,
Sir, do you explain the following passages
in your pamphlet?

"That in my conversations with those
"persons I should undisguisedly avow my
"opinions as to the wisdom of that course
"which the King's advisers were adopting,
"subject always to the discretion and re-
"serve due to the existing engagements of
"my country with other powers, I can by
"no means consider blameable."

"That I should have deprecated, when
"opportunity served, a quarrel about
"straws; that I should have endeavoured
"to impress on the minds of considerable
"men at that court, friendly as they then
"were in the highest degree to British con-
"exion, the difference between the casual
"peevishness of office, and a deep, inve-
"terate, national alienation, is a conduct

“ in which I could perceive no impropriety
“ at the time, and which I am now fully
“ prepared to defend.

“ That by encouraging the hope of a re-
“ turn to more friendly relations, I was
“ mainly counteracting the views of France,
“ which, ever since the American war, had
“ been directed to gain the ascendency at
“ the court of St. Petersburgh, and to in-
“ flame into animosity every slight cause of
“ difference between that court and Great
“ Britain, was, I confess, no objection with
“ me then; and even now seems to me so
“ little like high treason, that, unless better
“ advised, I should be much tempted, un-
“ der similar circumstances, to act again in
“ the same manner,” P. 44, 45.

Now, Sir, does not this amount to a full and free confession of the very fact with which you are charged. You endeavoured
“ to impress,” you say, “on the minds of
“ considerable men at that court, the differ-
“ ence between the casual peevishness of
“ office, and a deep, inveterate, national ali-
“ enation.” Why, Sir, what, in the name of
common sense, is this, but to teach the

Russian court that they were not to regard the feelings of the English ministry as the feelings of the English nation? And, let me enquire, what surer mode could you have taken of frustrating the views of the King's ministers at a foreign court, than by representing to that court, that such views were the views of the ministry only, not of the nation? You confess, by this declaration, in the most unequivocal terms, that your purpose at St. Petersburg *was* to frustrate the King's ministers.

Thirdly, You deny that, to the best of your knowledge, you did actually frustrate the King's ministers. In this part of your defence you take a new, and, as will clearly be shewn, a very untenable position.

“ What objects did I frustrate? It is now generally known that the object at first contended for by Mr. Pitt had been renounced by him *before* the negotiation of his minister at St. Petersburg had begun; and that it was so renounced *in consequence of the division in the House of Commons on the King's message on the 29th*

“of March. Dates in this case are every
“thing; and although from my having
“kept no papers about a transaction which
“appeared to me of such very little conse-
“quence I can furnish none except from
“public documents, your Lordship is in
“possession of them all, private as well as
“public, and will contradict me whenever
“I put a fact in its wrong place. Now you
“tell us yourself (p. 408) that Mr. Pitt
“formed this determination ‘so early, that
“by sending a second messenger he was
“able to prevent a strong memorial which
“he had despatched to Petersburgh from
“being delivered to the Russian ministers.’
“When did he send that second messenger?
“How many days after the 29th of March?
“The general belief at the time, a belief
“acted upon by the opposition in the ar-
“rangement of their parliamentary pro-
“ceedings, was, that he was despatched
“between that day and the 12th of April,
“on which day Mr. Grey moved his reso-
“lutions against the armament.” P. 39.
In pursuance of this notion, that the

purposes of the King's ministers had been virtually renounced more than a month before you left England, you thus proceed—

“ It may be asked, why, then, was Mr. Fawkener sent? It is for your Lordship, “ and not for me, to answer that question. “ Mr. Burke once said of Mr. Pitt, (I believe it was on this very occasion) ‘ that he fired the loudest stern-chasers of any man in Europe.’ If his object was to retreat from this contest with as little sacrifice of dignity as possible, he could do no better than commission a person of Mr. Fawkener’s character and abilities to smooth the way for him by obtaining, if possible, some civil acknowledgments from his opposing party, which might do for a paragraph in a manifesto or speech.” P. 41.

Mr. Pitt had most assuredly found that his first views with respect to Russia, and the hostile tone which he had assumed, were by no means popular with the nation at large; in consequence therefore of the division in the House of Commons on the King’s Message, on the 29th of March, he

was compelled to change them. You would have us imagine that the object of Mr. Fawkener's mission, in the succeeding May, was to effect a retreat from the contest with as little sacrifice of dignity as possible. This is likely enough; but when you say that Mr. Fawkener was sent only to obtain a few civil acknowledgments, you go beyond the bounds of all diplomatic probability. That he had more than this in his primary views you yourself acknowledge; for you say, that in the interval that elapsed between his arrival on the 24th of May at St. Petersburg, and the 29th of June, when the regular conference began, Mr. Fawkener *had* ascertained the utter hopelessness of any attempt to shake the determination of the Empress. The *attempt*, then, according to your own statement, *was made*; Mr. Fawkener, therefore, was not sent out to obtain merely a few "civil " acknowledgments to a manifesto or "speech." The *attempt was made*, and it was made in vain; who interposed the obstacle to its success, will hereafter appear.

You say, again, that the Empress, from

May 26th, 1790, to July, 1791, never once relaxed in her demands; and therefore you conclude, it was impossible that any representation of yours should have frustrated the negotiation.

" The terms on which Catherine II. proposed to make peace with the Turks, were communicated to the British government in May, 1790, and acceded to by the allies in July, 1791. The negotiation which intervened, including these two periods, was distinguished by a very remarkable feature, namely, that, from first to last, the Empress never varied from the double pledge which she had given to Europe, first, not to demand more than the terms she originally asked; and, secondly, not to be satisfied with less. Contradict me here, my Lord, if you can. State one moment at which she varied from these conditions. If you cannot, what becomes of your charge?"

P. 42.

Because the Empress never *did* vary from her terms, we are not surely to conclude that she never *would have* varied.

Such representations as your's *might* have kept her steady to her original terms ; from which, but for such representations, she might have been tempted by the arguments of Mr. Fawkener to have receded.

But, Sir, if you found upon your arrival at St. Petersburgh, the resolution of the Empress so decidedly fixed, and all things so fully determined upon, that all negotiation, upon the part of Mr. Fawkener, was superfluous, why did you " frequent the " distinguished persons" of the Russian court? Why did you impress upon their minds the differences between the temper and the views of the King's ministers and of the nation ?

You tell us, in one place, that before you arrived at St. Petersburgh, Mr. Fawkener had already ascertained the utter hopelessness of shaking the Empress's determination. And yet you tell us, in another place, " It is most true, that I freely gave " my opinion on the matters then under " discussion." P. 9.

Now, Sir, if these matters had been previously determined upon, how could they

have been *under discussion?* And if they were under discussion, would they not be materially affected by the declaration of your opinion, which you, an accredited person, represented to be the opinion of Mr. Fox, of the House of Commons, and of the country; especially when that opinion was most favourable to the interests of Russia?

But, Sir, you have gone a step beyond. You have not only allowed the existence of a negotiation, but also of a result. “ It is “ true, likewise, that in a letter which I “ wrote, when all was over, to Mr. Fox, I “ expressed much exultation at a result “ which, in my conscience I believe, had it “ been different, would have produced “ most serious mischief, and made an “ enemy of Catherine far more formidable “ than, a few years afterwards, we found “ her unfortunate son to be.” P. 9.

If all things were so fixed and determined, that there was no possibility of shaking the resolution of the Russian court, what cause was there for EXULTATION? Exultation, Sir, arises from the attainment of an object after a contest; exultation,

Sir, is the child, not of security, but of victory. What, then, was this result, at which you expressed so much exultation? It was the frustration of the King's ministers. And why was it the cause of exultation to you? Because, by your agency, that frustration was effected. From your own words, and by your own acknowledgements, you stand convicted of all with which Mr. Burke has charged you.

Let me shortly recapitulate the admissions which you make in your defence.

You acknowledge that you had early chosen foreign affairs as your line; that in this line you had your way to make; that to become any thing with the men with whom you were to act, business was to be studied; that opportunities presented themselves to you at St. Petersburg; that before you went there you concerted a cypher with Mr. Fox; that you had there means of introduction and information, which even now you will not disclose; that you had opportunities of communicating with distinguished persons at court, whose names, even at this distance of time, you think it

improper to divulge; you acknowledge, that while matters were under discussion, you held conversations with such personages; that in those conversations you reprobated the conduct of the King's ministers; that you represented the feeling of those ministers not to be the feeling of the nation; that you represented yourself as speaking the opinions of Mr. Fox, the House of Commons, and the country at large; and that when all was over, you expressed to Mr. Fox much exultation at the result.

Thus it is, Sir, that amidst the loudest protestations of your innocence, you virtually admit every fact with which you have been charged. The public, Sir, will require no reference to the private papers of Mr. Pitt, when the public confession of Mr. Adair has so amply confirmed the statements, both of the Bishop and of Mr. Burke. As it is my object to establish facts, not to designate crimes, I will not enter into any question as to the degree of guilt, which the transaction recorded above may involve. With what justice Mr. Burke

has denominated it a “ treasonable misdemeanour,” I shall not now enquire. In one point I am assured that the public will fully agree with me; that considering all the facts which you have yourself confessed, and considering the many more circumstances with which the Bishop must privately be acquainted, his Lordship has spoken of the affair with more temper and forbearance than could reasonably have been expected. How much more he might have said, how much more, perhaps, he ought to have said, you know better than myself. From all that I do know, it is certain, that he has said the very least, which, with any regard to the duty of an historian, he could have said.

I now come to the main position of his Lordship, which you are pleased so violently to attack.

“ I am not aware that any attempt was
“ made by Mr. Fox, or any of his friends,
“ to controvert these facts, or invalidate
“ this reasoning.”

In the first place, allow me to state, that in one part of your pamphlet you have

positively changed the expression of the Bishop.

“ Fifthly, you (the Bishop) say, that to “ the best of your knowledge, none of Mr. “ Fox’s friends *denied* the facts.” P. 12.

The Bishop has no where said that Mr. Fox’s friends did not *deny* the facts; but his Lordship says, that Mr. Fox’s friends did not *controvert* them. I have already pointed out the very important distinction between *controverting* and *denying*. You denied the facts as early as the year 1797, but you did not controvert them until the year 1821; and, perhaps, it would have been better for your friends and for yourself, if you had remained content with your former denial.

But, first, let us examine the conduct of Mr. Fox. In a debate, soon after the transaction, Mr. Pitt said distinctly, that better terms might have been obtained, had it not been for certain circumstances of notoriety, which might, perhaps, give rise to a more serious discussion at another time. Upon the reply of Mr. Fox you make the following observations.

“ But there is a third point—one abso-

“ Iutely decisive of the credit of your rela-
“ tion in this case, of which it was your
“ duty to make yourself aware, before you
“ hazarded the sweeping words which I
“ have copied from your book, and of
“ which, considering the very lauable zeal
“ which carried you so often to the House
“ of Commons, you will not easily persuade
“ the world that you were not aware—and
“ that is, Mr. Fox’s denial of the charge,
“ and challenge of inquiry, in this very
“ debate. Not to repeat the passage in
“ my former letter, I ask, how is it that
“ you have forgotten a fact so important?
“ or why have you suppressed it? Why,
“ from first to last, in your account of the
“ proceeding, have you not said one word
“ of Mr. Fox’s reply to Mr. Dundas?
“ That minister in his speech had observed,
“ rather sarcastically, *that Mr. Fox took*
“ *great pains to procure accurate intelligence;*
“ and to this Mr. Fox replied, ‘That the
“ rumours to which he had alluded had
“ reached him in London, and were matter
“ of notoriety. *It was therefore proper to*
“ *inquire whether or not they were true.*

“ With respect to taking pains to obtain
“ accurate information, if he, or any man,
“ took pains to inform himself on subjects
“ in which the interests of his country were
“ materially concerned, *were he even to go*
“ *abroad for the express purpose* of obtaining
“ such a knowledge of the dispositions and
“ intentions of foreign courts, as might
“ enable him to give useful advice at home,
“ *he would be entitled to thanks instead of*
“ *blame.*”

“ What say you to this, my Lord? Here
“ is the menace of an inquiry, met by a
“ demand for it. Here is the punishment
“ impliedly denounced against myself, met
“ by Mr. Fox with a public declaration
“ that I deserved thanks. Did this dis-
“ cover any thing like confession of a
“ crime, or acquiescence under an impu-
“ tation? And why have you suppressed
“ all this? Do you mean to say that you
“ forgot it?” P. 50, 51.

“ Why, Sir, this very reply of Mr. Fox, so
far from being a denial, amounts very nearly
to an admission of the fact. Mr. Pitt,
indeed, never instituted the enquiry which

he threatened, because, as the Bishop in his letter to you has well remarked, the difficulties were insuperable. "When Mr. Pitt," observes his Lordship, "talked of parliamentary enquiry, it was impossible for Mr. Fox to do less than declare his readiness to meet it; but this I cannot admit as any proof that the charge was groundless. To establish, by regular proof, the truth of a transaction alleged to have taken place between a private individual and the sovereign and the minister of a foreign and distant country—a transaction in which both parties would unquestionably withhold information—must obviously be extremely difficult, if not absolutely impossible; and yet circumstances might leave no doubt in the minds of impartial persons of the reality of the transaction, or of the effect it produced."

But though the menace of Mr. Pitt was not carried into effect, the imputation against Mr. Fox still remained in full force—an imputation under which he acquiesced. Such an acquiescence was not very common, it must be allowed, with Mr. Fox.

But, Sir, you must remember that the words of the Bishop apply more especially to the statement of Mr. Burke. Though published at first without the consent of Mr. Burke, the pamphlet was afterwards revised, corrected, and re-published by Mr. Burke himself. Upon this point, what says your friend Dr. Parr?

“ This offensive pamphlet has been re-published by Mr. Burke himself, but with a milder and more judicious title than it bore when it was first sent into the world by the impatience and the anger of the printer. The insertion of it in the works of that great man must give perpetuity and increased notoriety to the censures contained in it, and therefore calls aloud for *public and for pointed notice* from the well-wishers of Mr. Fox.” *Characters of Mr. Fox.*

Was this imperious demand for *public and for pointed notice* ever met by Mr. Fox or any of his friends from 1797 to 1821? The facts were not once controverted, the reasoning not once invalidated. Perhaps it may be thought that Mr. Fox despised the

accusation. What says your friend Dr. Parr, again?

“The mischievous insinuations, the weighty charges, the bitter reproaches, aimed against Mr. Fox himself, against Mr. Adair, and Lord Howick, who were his personal friends, and against other excellent men who adhered to his party, made, as I know from my correspondence with him, a very deep and a very painful impression on his mind.” *Characters of Mr. Fox*, p. 546.

To these insinuations and charges which gave Mr. Fox so much pain, no answer was ever produced, the facts were not controverted, nor the reasoning invalidated.

But, Sir, you accuse the Bishop, in terms sufficiently harsh, of suppressing your letter to the Editor of the Morning Chronicle, dated Feb. 14, 1797. You shall not accuse me of similar neglect.

“*To the Editor of the Morning Chronicle.*

“Sir,

“The advertisement of Mr. Rivington, whereby he declares that the pretended

“ letter from Mr. Burke to the Duke of
“ Portland is not printed from any copy in
“ his Grace’s possession, entitles me to as-
“ sume, as well as it induces me to hope,
“ that the false and defamatory libel which
“ has appeared in that letter against myself
“ never was written by Mr. Burke to the
“ Noble Duke.

“ There are, however, some circumstances
“ attending this libel, both with regard to
“ what it states relative to my journey to
“ St. Petersburgh in 1791, and to its rapid
“ circulation before an injunction could be
“ obtained from the Court of Chancery to
“ suppress it, which place me in a very
“ embarrassing situation. Several thousand
“ copies of a charge against Mr. Fox and
“ myself, of ‘a high treasonable misde-
“ meanour,’ have found their way into the
“ world under the sanction of Mr. Burke’s
“ authority and name. The disavowal of
“ Mr. Burke’s bookseller of its being printed
“ from a copy in the Duke of Portland’s
“ possession, as far as it goes, is satisfac-
“ tory. For myself, too, as I have already

“ said, I am entitled to put, and actually
“ do put, yet a more large and liberal con-
“ struction upon that disavowal; conceiv-
“ ing it to mean, that Mr. Burke never
“ stated to the Duke of Portland any cir-
“ cumstance in my journey to St. Peters-
“ burgh in any way injurious to Mr. Fox.
“ But I am afraid we live in times not quite
“ so charitable, either to that great man or
“ to myself, as I am truly disposed to be
“ towards Mr. Burke. I have heard of this
“ charge before, but always from quarters
“ below my notice. Paragraphs I have
“ seen in plenty; some bitter, some that
“ fain would be pleasant. To be angry
“ with the one sort, indeed, Sir, was not
“ easier for me than to laugh at the other.
“ Writers so contemptible both in character
“ and ability never moved me to reply, sa-
“ tisfied as I was with reflecting that none
“ of his Majesty’s ministers, although fairly
“ invited to the discussion, have ever ven-
“ tured to say one word about it in the pre-
“ sence of Mr. Fox.

“ This hitherto has been my way, Sir, of

" treating a subject once more brought before the public in the very extraordinary manner it has just witnessed. It is for others to adjust the moral precedence between the turpitude of the fraud, and the mendacious treachery of the accusation ; but how far I am still at liberty, in justice both to Mr. Fox and myself, to continue silent since the partial, but very extensive, circulation of this pretended letter, and under all the circumstances of the case, as it now stands, is more than I can immediately determine. I must be governed by the degree of credit annexed to the charge in quarters where I wish to stand well, and to its general impression upon the public mind. If any better sentiment than curiosity can be gratified by my justification, I am ready to enter upon it without delay. It is enough for me in the mean time to affirm that the charge is false.

" I am, Sir, &c. &c.

" ROBERT ADAIR."

" Upper Grosvenor-street,
 February 14, 1797."

And now, Sir, let me enquire, to what does all this verbiage amount? The substance of the whole letter is contained in the four last words, “*the charge is false.*” Here is a bold *denial*; but here is no attempt either to *controvert* facts, or invalidate reasoning.

“ It is a tale,
————— full of sound and fury,
Signifying nothing.”

But in your pamphlet you have not only acknowledged your silence, but you have given us your reasons for it. With the latter I have nothing to do, it is the former only that I wish to establish. The charge was repeated by Mr. Gifford, in his Life of Mr. Pitt, but you were then prudent enough to adhere to your resolution.

“ All the above motives, and, let me add, the very little interest excited by this mass of invective, kept me *silent* in 1797, and Mr. Burke’s death in the same year, closed, I had hoped, this question upon us for ever.” P. 69.

You accuse the Bishop, again, of omit-

ting to notice the defence of Mr. Fox, published by Dr. Parr in 1809. But what shall be said of a defence which begins in the following words—

“ I am not enough acquainted with the circumstances of the transaction, either to justify or to condemn the whole of it.”

The remainder of the defence corresponds with its commencement. It controverts no fact, it invalidates no reasoning. Like a wise and wary advocate, the Doctor does not deny any single circumstance, nor controvert any single fact in the statement of his adversary ; his object is rather to cast over the whole affair a mist of infinity. Well, then, may the Bishop express his surprise that, after the declaration of Dr. Parr, that he was not sufficiently acquainted with the transaction to decide whether it ought to be justified or condemned, you should represent him as having “ confuted Mr. Burke’s reasoning in a way “ that admits of no answer,”

Thus, then, after all the unworthy scur-

rility with which you have loaded his Lordship, does the assertion of the Bishop stand unimpeached, “ that no attempt has “ been made by Mr. Fox, or his friends, to “ controvert these facts, or invalidate this “ reasoning.”

Upon your public character and reputation you have thought proper to enlarge at no inconsiderable length. Though I freely admit the consistency with which you have always maintained your political principles, and though I have no inclination to disparage your pretensions to diplomatic ability, I cannot think that such a line of justification was either necessary or expedient. Your character, Sir, has not been assailed. So far from any personal reflection, either upon yourself or your conduct, the Bishop, in the course of his own narrative, has *not once* mentioned your name, nor alluded to the part which you bore in the transaction at St. Petersburgh. Surely, Sir, this omission is an unequivocal mark of real moderation and forbearance. In the extract which his Lordship has copied from Mr.

Burke, your name occurs but once, unaccompanied with any harsh or offensive expression. In that transaction, indeed, you were the agent only, and the instrument of a higher power; you were then, as you yourself have observed, a young man, and had your way to make, and it was natural enough that your better judgment should be blinded by party zeal and professional ambition. For these, and other circumstances, the Bishop appears, by his very silence, to have made due allowance. Much may be said in palliation of your conduct at that period, though nothing can be advanced in justification of the principles upon which you too readily consented to act.

As the friend of Mr. Fox, you have no real reason to be displeased with the account of the affair which the Bishop has given. For when you consider with what terms of reprobation that transaction might justly have been branded, you must confess that the representation of it by his Lordship is the most temperate that could have been employed.

As I will not suppose you devoid of the feelings of a gentleman, I am confident, that in your cooler moments you will deeply regret the victory which you have suffered your political resentment to gain over your temper and your understanding. You will deeply regret that you have indulged yourself throughout in language so undeserved by the Bishop, and so unworthy of yourself. You will deeply regret that you have loaded, with unmerited reproach, a man, who, with the amplest means of exposing you within his reach, appears to have shrunk back from the task — and, above all, that against such a man you have advanced charges of the most serious nature, which a reference to facts proves to be unfounded and false. With respect to yourself and your political reputation, you will long have reason to lament, that you have revived the memory of a transaction, reflecting so little credit on all those whom it involved—a transaction, which, but for your unprovoked appeal to the public, might now, at this distance of

time, have been passed over without any particular notice or animadversion.

I am, Sir,

g.c. g.c. g.c.

LINCOLN'S INN,
July 10, 1821.

